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Docket No.: BSZ-049  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Susan Gould-Fogerite, *et al.*

Application No.: 10/822235

Confirmation No.: 1705

Filed: April 9, 2004

Art Unit: 1635

For: COCHLEATE COMPOSITIONS DIRECTED  
AGAINST EXPRESSION OF PROTEINS

Examiner: B. A. Whiteman

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed April 11, 2006.

The Examiner has required restriction between the following inventions in the above-identified application:

I. Claims 1-4, 6, and 8-13, drawn to an siRNA-cochleate composition comprising a cochleate and an siRNA associated with the cochleate, wherein the siRNA mediates interference against a target mRNA expressing a cancer protein, classifiable in class 514, subclass 44.

II. Claims 1-4, 6, and 8-13, drawn to an siRNA-cochleate composition comprising a cochleate and an siRNA associated with the cochleate, wherein the siRNA mediates interference against a target mRNA expressing a viral protein (HIV protein), classifiable in class 514, subclass 44.

III. Claims 1-4, 6, and 8-13, drawn to an siRNA-cochleate composition comprising a cochleate and an siRNA associated with the cochleate, wherein the siRNA mediates interference against a target mRNA expressing a fungal protein, classifiable in class 514, subclass 44.

IV. Claims 1-4, 6, and 8-13, drawn to an siRNA-cochleate composition comprising a cochleate and an siRNA associated with the cochleate, wherein the siRNA mediates interference against a target mRNA expressing a bacterial protein, classifiable in class 514, subclass 44.

V. Claims 1-4, 6, and 8-13, drawn to an siRNA-cochleate composition comprising a cochleate and an siRNA associated with the cochleate, wherein the siRNA mediates interference against a target mRNA expressing an abnormal cellular protein, classifiable in class 514, subclass 44.

VI. Claims 1-4, 6, and 8-13, drawn to an siRNA-cochleate composition comprising a cochleate and an siRNA associated with the cochleate, wherein the siRNA mediates interference against a target mRNA expressing a cellular protein, classifiable in class 514, subclass 44.

VII. Claims 7 and 43, drawn to an siRNA-cochleate composition comprising a cochleate and an siRNA associated with the cochleate and further comprising a second siRNA directed against a second target mRNA, classifiable in class 514, subclass 44.

VIII. Claims 14-24, 44-51, and 62-63, drawn to a method of treating a subject having a disease or disorder associated with expression of a target mRNA comprising administering to a subject an siRNA-cochleate composition, classifiable in class 424, subclass 93.2.

IX. Claims 25-33, and 52-61, drawn to a method of forming a siRNA-cochleate composition comprising precipitating a liposome and a siRNA, classifiable in class 424, subclass 450.

Applicants would like to thank Examiner Whiteman for the telephone conference held on May 8, 2006, during which Applicants orally elected Group II, Claims 1-4, 6, and 8-13 for continued examination. It is Applicants understanding that Examiner Whiteman is going to further restrict the claimed invention. As such, Applicants respectfully reserve the right to respond to a further restriction.

In the meanwhile, Applicants submit herewith a preliminary amendment in order to respond fully to the Notice to Comply Letter mailed from the PTO concurrently with the Office Action of April 11, 2006.

Dated: May 11, 2006

Respectfully submitted,

By 

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